



Westlands Water District

3130 N. Fresno Street, P.O. Box 6056, Fresno, California 93703-6056, (559) 224-1523, FAX: (559) 241-6277

April 24, 2019

SENT VIA REGULAR AND ELECTRONIC MAIL

Mr. Chris Saeger
Executive Director
Western Values Project
704C East 13th Street, Suite 568
Whitefish, MT 59937

Mr. Hamilton Candee
Altshuler Berzon LLP
177 Post Street, Suite 300
San Francisco, CA 94108

Re: California Public Records Act Request

Mr. Saeger and Mr. Candee:

Westlands Water District ("District") hereby responds to the Western Values Project Public Records Act request, dated May 4, 2017, which seeks the following records pursuant to California Government Code § 6250 et seq:

- all correspondence, along with related attachments, between any representatives or employees of the Westlands Water District and any employees or representatives of Brownstein, Hyatt, Farber, Schreck, LLP ("BHFS") since May 1, 2010 containing any of the following terms or phrases:

"Julie MacDonald"
MacDonald
Bernhardt
Payment
Reporting
"don't report"
"don't have to report"
audit
"at Interior"
"Interior Secretary"
nominate
nominated
nomination
nominee
Trump

Pursuant to the Public Records Act, please find enclosed copies of non-exempt records responsive to all of the terms or phrases, except for "correspondence, including attachments with David Bernhardt". Non-exempt records of those correspondence will be produced in response to the second request made by Western Values Project, dated May 4, 2017.

Where multiple copies of the same non-exempt, responsive record were within the District's possession (most often, if not exclusively, where an e-mail was sent to more than one of the District's staff), only one copy of the record has been produced.

The District has determined that: (1) certain responsive records are exempt from disclosure under the Government Code, and (2) some of the information (account information, e-mail addresses) in otherwise non-exempt records should be redacted.

The bases for these determinations are that certain records are exempt because they:

- pertain to pending litigation (Govt. Code § 6254(b));
- the disclosure is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code (Govt. Code § 6254(k));
- are preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the public agency in the ordinary course of business (Govt. Code §6254(a)); and /or
- reflect the deliberative process (Govt. Code §6255)

Information redacted from records provided is based on the public interest exemption and to protect privacy or for security purposes.¹

The District continues to diligently review its files for non-exempt records and anticipates that by May 13, 2019, it will provide you with any additional non-exempt records, inform you that certain responsive records are exempt from disclosure under the Government Code, and/or inform you that there are no more non-exempt records for production.

If you have any questions regarding this matter, please contact me at directly at (559) 241-6215.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jose Gutierrez", with a stylized flourish at the end.

Jose Gutierrez
Chief Operating Officer

¹ The District reserves the right to rely on any other exemptions applicable for the records requested.